

INTERIM CONVEYANCE

WHEREAS

Natives of Akhiok, Inc.

is entitled to a conveyance pursuant to Secs. 14(a) and 22(j) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 702, 715; 43 U.S.C. 1601, 1613(a), 1621(j) (Supp. V, 1975)), of the surface estate in the following described lands:

LANDS OUTSIDE THE KODIAK NATIONAL WILDLIFE REFUGE (PLO 1634)

Seward Meridian, Alaska (Surveyed)

Lots 1 and 2, U.S. Survey No. 4657, Alaska, situated around the village of Akhiok, Kodiak Island, Alaska.

Containing 472.12 acres.

Seward Meridian, Alaska (Unsurveyed)

T. 37 S., R. 31 W.

Sec. 14 (fractional), excluding U.S. Survey 2073;
Sec. 15 (fractional), that portion outside PLO 1634;
Sec. 22 (fractional), that portion outside PLO 1634
and excluding U.S. Survey 4657;
Sec. 23 (fractional), all;
Sec. 27 (fractional), excluding U.S. Survey 567,
U.S. Survey 4657 and U.S. Survey 4926;
Sec. 32 (fractional), that portion outside PLO 1634;
Secs. 33 and 34 (fractional), all.

Containing approximately 835 acres.

Aggregated acreage outside PLO 1634 approximately 1,307 acres.

LANDS WITHIN THE KODIAK NATIONAL WILDLIFE REFUGE (PLO 1634)

Seward Meridian, Alaska (Unsurveyed)

T. 35 S., R. 30 W.

Secs. 2 and 3, all;
Secs. 7, 10 and 11, all;
Secs. 13, 14 and 15, all;
Secs. 18 to 24 (fractional), inclusive, all;
Sec. 25 (fractional), excluding U.S. Survey 1889;
Secs. 26, 29 and 30 (fractional), all;
Secs. 32 to 35 (fractional), inclusive, all.

Containing approximately 9,855 acres.

T. 36 S., R. 30 W.

Sec. 3, all;
Secs. 4, 5 and 6 (fractional), all;

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Sec. 7 (fractional), excluding U.S. Survey 1890;
Sec. 8 (fractional), all;
Secs. 9 and 16, all;
Secs. 17 to 20 (fractional), inclusive, all;
Sec. 21, all;
Secs. 29, 30 and 31 (fractional), all;
Sec. 32, all.

Containing approximately 8,314 acres.

T. 36 S., R. 31 W.

Secs. 4, 6 and 7, all;
Secs. 9, 10 and 11, all;
Secs. 15 to 23, inclusive, all;
Secs. 26, 28 and 29, all.

Containing approximately 11,496 acres.

T. 37 S., R. 31 W.

Sec. 1, all;
Sec. 2 (fractional), all;
Sec. 3 (fractional), excluding U.S. Survey 1224,
U.S. Survey 1975 and U.S. Survey 1976;
Sec. 4 (fractional), excluding U.S. Survey 50
and Native allotment AA-7432;
Sec. 5, excluding Native allotment AA-7432;
Secs. 6, 7 and 8, all;
Secs. 9 to 12 (fractional), inclusive, all;
Sec. 13 (fractional), excluding U.S. Survey 1845
and U.S. Survey 2073;
Sec. 15 (fractional), that portion within PLO 1634;
Secs. 16 to 20, inclusive, all;
Sec. 21, excluding U.S. Survey 4657;
Sec. 22 (fractional), that portion within PLO 1634
and excluding U.S. Survey 4657;
Sec. 28 (fractional), excluding U.S. Survey 567,
U.S. Survey 4926 and U.S. Survey 4657;
Sec. 29 (fractional), excluding U.S. Survey 4657
and Native allotment AA-7431;
Sec. 30 (fractional), excluding Native Allotment AA-7431;
Sec. 31 (fractional), all;
Sec. 32 (fractional), that portion within PLO 1634.

Containing approximately 10,969 acres.

T. 36 S., R. 32 W.

Sec. 1, all;
Secs. 2, 10 and 11 (fractional), all;
Secs. 12, 13 and 14, all;
Sec. 15 (fractional), excluding U.S. Survey 174,
U.S. Survey 1578 and U.S. Survey 1579;
Secs. 16, 17 and 18 (fractional), all;
Secs. 19 to 24, inclusive, all.

Containing approximately 8,442 acres.

T. 37 S., R. 32 W.

Secs. 1, 12, 13 and 14, all;
Secs. 15, 22 and 23 (fractional), all;

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Sec. 24, all;
Secs. 25, 26, 27 and 36 (fractional), all.

Containing approximately 6,265 acres.

Aggregated acreage within PLO 1634 approximately 55,341 acres.

Total aggregated acreage approximately 56,648 acres.

NOW KNOW YE, that there is, therefore, granted by the UNITED STATES OF AMERICA, unto the above-named corporation the surface estate in the land above-described, TO HAVE AND TO HOLD the said estate with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said corporation, its successors and assigns, forever:

EXCEPTING AND RESERVING TO THE UNITED STATES from the lands so granted:

1. The subsurface estate therein, and all rights, privileges, immunities, and appurtenances, of whatsoever nature, accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 704; 43 U.S.C. 1601, 1613(f) (Supp. V, 1975)); and
2. Pursuant to Sec. 17(b) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 708; 43 U.S.C. 1601, 1616(b) (Supp. V, 1975)), the following public easements, referenced by easement identification number (EIN) on the easement maps in case file AA-6646-EE, are reserved to the United States and subject to further regulation thereby:
 - a. (EIN 6 C6, D9, L) An easement for an existing access trail fifty (50) feet in width from Olga Bay paralleling the left bank of Dog Salmon Creek northerly to Frazer Lake and public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
 - b. (EIN 6a C6, D9, L) A one (1) acre site easement upland of the mean high tide line in Sec. 22, T. 35 S., R. 30 W., Seward Meridian, on Dog Salmon Creek at the head of trail EIN 6 C6, D9, L on Olga Bay. The site is for camping, staging and vehicle use.
 - c. (EIN 6b C6, D9, L) An easement for a proposed access trail twenty-five (25) feet in width from existing trail EIN 6 C6, D9, L near the southern border of Sec. 11, T. 35 S., R. 30 W., Seward Meridian, easterly to public lands and westerly to Dog Salmon Creek. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

- d. (EIN 10 C6, D9, L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of Olga Creek from Olga Bay easterly to lower South Olga Lake. Purpose is to provide for public use of waters having highly significant present recreational use.
- e. (EIN 17 L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of Dog Salmon Creek from Olga Bay northerly through the village selection to public lands. Purpose is to provide for public use of waters having highly significant present recreational use.
- f. (EIN 20 D9, C6, L) A fishery management and public use easement upland of the ordinary high water mark in Sec. 14, T. 36 S., R. 32 W., Seward Meridian, on the right side of Olga Creek near the outlet of lower South Olga Lake. The easement is two and one-half (2½) acres in size with an additional twenty-five (25) foot wide extension on the bed of the creek along the entire waterfront of the easement. The easement is used for camping, vehicle use, and for fishery management purposes.
- g. (EIN 22 D9, C6, L) A fishery management and public use easement upland of the ordinary high water mark in Sec. 14, T. 36 S., R. 32 W., Seward Meridian, on the left side of Olga Creek near the outlet of lower South Olga Lake. The easement is two and one-half (2½) acres in size with an additional twenty-five (25) foot wide extension on the bed of the creek along the entire waterfront of the easement. The easement is used for camping, vehicle use and for fishery management purposes.
- h. (EIN 23 D9) An easement for a proposed access trail twenty-five (25) feet in width from EIN 24 D9 northerly and southerly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- i. (EIN 23a D9) An easement for a proposed access trail twenty-five (25) feet in width from upper South Olga Lake paralleling an unnamed stream northwesterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- j. (EIN 24 D9) A fishery management and public use easement upland of the ordinary high water mark in Secs. 18 and/or 19, T. 36 S., R. 31 W., Seward Meridian, at the mouth of Olga Creek on lower South Olga Lake. The easement is

one (1) acre in size with an additional twenty-five (25) foot wide extension on the bed of the lake along the entire waterfront of the easement. The easement is used for camping, vehicle use, staging and for fishery management purposes.

- k. (EIN 25 C6, D9, L) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of Olga Creek from upper South Olga Lake to lower South Olga Lake. Purpose is to provide for public use of waters having highly significant present recreational use.
- l. (EIN 26 C6, D9, L) A site easement upland of the ordinary high water mark in Sec. 17, T. 36 S., R. 31 W., Seward Meridian on Olga Creek at the outlet of upper South Olga Lake. The site is one (1) acre in size with an additional twenty-five (25) foot wide easement on the bed of the lake along the entire waterfront of the site. The site is for camping, staging, and vehicle use.
- m. (EIN 27 D9) An easement for a proposed access trail twenty-five (25) feet in width from site EIN 26 C6, D9, L southeasterly to isolated public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- n. (EIN 29 D9) An easement for a proposed access trail twenty-five (25) feet in width from the Olga Narrows and site EIN 29a D9 easterly to isolated public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- o. (EIN 29a D9) A one (1) acre site easement upland of the mean high tide line in Sec. 17, T. 36 S., R. 30 W., Seward Meridian, at the head of trail EIN 29 D9 on the Olga Narrows. The site is for camping, staging and vehicle use.
- p. (EIN 30 C5, D9) A continuous linear easement twenty-five (25) feet in width upland of and parallel to the mean high tide line in order to provide access to and along the marine coastline and use of such shore for purposes such as beaching of watercraft or aircraft, travel along the shore, recreation, and other similar uses. Deviations from the waterline are permitted when specific conditions so require, e.g., impassable topography or waterfront obstruction. This easement is subject to the right of the owner of the servient estate to build upon such easement a facility for public or private

purposes, such right to be exercised reasonably and without undue or unnecessary interference with or obstruction of the easement. When access along the marine coastline easement is to be obstructed, the owner of the servient estate will be obligated to convey to the United States an acceptable alternate access route, at no cost to the United States, prior to the creation of such obstruction.

- q. (EIN 37 C4) An easement for a proposed access trail twenty-five (25) feet in width from Moser Bay and site EIN 37a C4 paralleling an unnamed creek easterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- r. (EIN 37a C4) A one (1) acre site easement upland of the mean high tide line in Sec. 29, T. 36 S., R. 30 W., Seward Meridian, at the head of trail EIN 37 C4 on the east side of Moser Bay. The site is for camping, staging, and vehicle use.
- s. (EIN 39 C5, C6, D1, D9) An easement for a proposed access trail twenty-five (25) feet in width from Snug Cove northerly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.
- t. (EIN 42 C5, C6, D1, D9) A streamside easement twenty-five (25) feet in width upland of and parallel to the ordinary high water mark on all banks and an easement on the entire bed of Moser Creek from Chip Cove northwesterly to Moser Lake. Purpose is to provide for public use of waters having highly significant present recreational use.
- u. (EIN 42a C5, C6, D1, D9) A site easement upland of the ordinary high water mark in Secs. 23 and 26, T. 36 S., R. 31 W., Seward Meridian, centered on the east end of Moser Lake. The site is twenty-five by one thousand (25 X 1,000) feet in size with an additional twenty-five (25) foot wide easement on the bed of the lake along the entire waterfront of the site. The site is for vehicle use and recreational access to public waters and resources.
- v. (EIN 43 C) The right of the United States to enter upon the lands hereinabove granted for cadastral, geodetic, or other survey purposes is reserved, together with the right to do all things necessary in connection therewith.

- w. (EIN 44e E) An easement for a proposed access trail twenty-five (25) feet in width from Olga Bay across the southwest corner of Sec. 25, T. 35 S., R. 30 W., Seward Meridian, southeasterly to public lands. The usage of roads and trails will be controlled by applicable State or Federal law or regulation.

These reservations have not been conformed to the Departmental easement policy announced March 3, 1978. Conformance is contingent upon resolution of the litigation Calista, et al. v. Andrus and implementation of the Secretary's new easement policy.

THE GRANT OF THE ABOVE-DESCRIBED LANDS IS SUBJECT TO:

1. Issuance of a patent confirming the boundary description of the lands hereinabove granted after approval and filing by the Bureau of Land Management of the official plat of survey covering such lands;
2. Valid existing rights therein, if any, including but not limited to those created by any lease (including a lease issued under Sec. 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339, 341; 48 U.S.C. Ch. 2, Sec. 6(g) (1970))), contract, permit, right-of-way, or easement, and the right of the lessee, contractee, permittee, or grantee to the complete enjoyment of all rights, privileges, and benefits thereby granted to him;
3. Those rights for water pipeline purposes as have been granted to CWC Fisheries, Inc., its successors or assigns, by right-of-way A-053899, located in Secs. 23 and 26, T. 36 S., R. 31 W., Seward Meridian, under the act of February 15, 1901 (31 Stat. 790; 43 U.S.C. 959);
4. Airport lease AA-9460, containing approximately 49.95 acres, located within lot 2, of U.S. Survey No. 4657, Alaska, issued to the State of Alaska, Division of Aviation, under the provisions of the act of May 24, 1928 (45 Stat. 728-729; 49 U.S.C. 211-214 (1970));
5. Requirements of Sec. 22(g) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 714; 43 U.S.C. 1601, 1621(g) (Supp. V, 1975)), that (a) the portion of the above described which has been withdrawn by PLO 1634, on May 9, 1958, and is now a part of the Kodiak National Wildlife Refuge, remains subject to the laws and regulations governing use and development of such Refuge, and that (b) the United States reserve from the conveyance the right of first refusal if the said portion of land in such Refuge, or any part thereof, is ever sold by the above named village corporation;

6. Requirements of Sec. 14(c) of the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat. 688, 703; 43 U.S.C. 1601, 1613(c) (Supp. V, 1975)), that the grantee hereunder convey those portions, if any, of the lands hereinabove granted, as are prescribed in said section; and
7. The terms and conditions of the agreement dated November 12, 1976, between the Secretary of the Interior; Koniag, Inc.; Natives of Akhiok, Inc.; and other Koniag village corporations. A copy of the agreement is hereby attached to and made a part of this conveyance document.

IN WITNESS WHEREOF, the undersigned authorized officer of the Bureau of Land Management has, in the name of the United States, set his hand and caused the seal of the Bureau to be hereunto affixed this 21st day of November 1978, in Anchorage, Alaska.

UNITED STATES OF AMERICA



Chief, Branch of Adjudication